

THE MARIN COUNTYWIDE PLAN



**AGRICULTURE
ELEMENT**

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AGRICULTURE ELEMENT

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I. INTRODUCTION

Agricultural operations are an important part of Marin's historic past and remain an important part of Marin's economy. As a land use, agriculture provides open space and helps maintain a rural atmosphere in the county.

A. LEGAL AUTHORITY

The Agriculture Element is optional under California general plan law. However, California planning law states that "the general plan may include any elements or address...subjects which...relate to the physical development of the county or city" (Government Code Section 65303).

The County originally addressed agricultural land use issues in the Environmental Quality Element. Those issues and policies as well as additional policies now included in the Agriculture Element, help to emphasize the County's commitment to preservation of agriculture and supporting land uses.

B. RELATIONSHIP TO OTHER GENERAL PLAN ELEMENTS

The Agriculture Element is related to other elements in the following manner:

Community Development Element: Designates land uses in a manner which preserve important aspects of the county economy.

Environmental Quality: Includes policies which help preserve agricultural lands, thereby maintaining a rural atmosphere in the Inland Rural and Coastal Recreation Corridors.

C. RELATIONSHIP TO OTHER GENERAL PLAN DOCUMENTS

The Agricultural Element is related to Local Coastal Plans I and II and West Marin community plans in the following manner:

Local Coastal Plans I and II: Maintains the rural quality of the coastal environment as required by the California Coastal Zone Act. The Act requires the County to: "protect maintain, and, where feasible, enhance and restore the overall quality of the coastal environment and its natural and artificial resources."

Community Plans: Supports continuance of agricultural land uses and operations in West Marin communities and surrounding areas, including the communities of Nicasio, San Geronimo, East Shore, Dillon Beach, Point Reyes Station, Tomales, and Stinson Beach.

D. ORGANIZATION OF THE ELEMENT

The element offers background information on agriculture in Marin, including: data on the number and type of farms and amount of agricultural production; the history of agriculture in Marin and its relationship to agriculture in Sonoma County; and, factors that contribute to agricultural production such as soils and climate and supporting land uses.

The section entitled "Existing Agricultural Policy in Marin County" discusses County policies which help to preserve agricultural practices and private measures in support of agriculture, such as the Marin Agricultural Land Trust.

The County's agricultural policies and implementation programs recognize the value of continued agriculture for producing food and fiber for the region and as an important component of the county's diversified economy. The policies and programs in this element protect and preserve agricultural lands through making use of: 1) very low density zoning in the Inland Rural and Coastal Corridors; 2) transferable development rights from agricultural areas to areas more suitable for development; 3) agricultural easements which preserve land for continued agricultural uses; 4) cluster development and master plan development standards, and 5) the Williamson Act.

II. BACKGROUND

Approximately 167,590 acres are in agricultural use totaling 41.5% of the county land area. The 1987 U. S. Census of Agriculture recorded 285 agricultural operations in Marin County, at an average size of 588 acres. One-third of all farms are 50 acres or less in size and 60% are under 500 acres. Most farms are run by families or a partnership of family members. Approximately three-quarters of the operators are full- or part-owners.

Historically, the dairy industry has been the major agricultural activity in the county. Most ranches belong to third and fourth generation ranch families. In 1987 Marin dairies supplied about a quarter of the region's milk supply, totaling \$27.1 million in sales. Dairy sales in 1987 accounted for 70% of the \$39.1 million total county agricultural sales. The State Department of Conservation rated 73,149 county acres as "important farmlands" (see Table A-1) and 94,018 acres as suitable for grazing. County rainfall is not sufficient or reliable enough for row crops. Non-irrigated rangeland, particularly in coastal areas, can support a relatively high ratio of animals per acre as compared to the Central Valley where there is less precipitation.

Livestock production is the second largest agricultural industry in the county, with 111 beef cattle, cow/calf, and sheep grazing operations producing livestock, replacement heifers for dairies, and breeding stock. Livestock operations rely mainly on the amount and timing of the rainfall and the run-off to fill their ponds. The price of feed fluctuates based on the quantity and quality of harvest, time of year, demand, and transportation costs. A close relationship exists between the Sonoma County and Marin County agriculture industries, especially in terms of local importation of feed and support for the

California Cooperative Creamery in Petaluma, the major point of delivery for local milk. Many Marin ranchers travel to southern Sonoma County for supplies, entertainment, and other amenities.

Table A-1. Relationship of Farmland to Other Uses

Total in Land Use Categories	Acres as of July 1988	Percent of County Area¹
Prime Farmland ²	168	0.0
Statewide Farmland ³	318	0.1
Unique Farmland ⁴	110	0.0
Local Farmland ⁵	72,553	19.1
<i>Subtotal Important Farmlands</i>	<i>73,149</i>	<i>19.3%</i>
Grazing Land ⁶	94,018	24.8
<i>Subtotal Agricultural (Farm and Agricultural Lands)</i>	<i>167,167</i>	<i>44.0%</i>
Urban ⁷	38,707	10.2
Other Lands	128,715	34.0
Water	44,354	11.7
Total County Area in Inventory⁸	378,943	100%

Source: Department of Conservation, Farmland Mapping and Monitoring Program, Farmland Conversion Report, 1986-1988.

- 1 Percentages may not total properly due to rounding.
- 2 Lands with the best combination of physical and chemical features for the productions of agricultural crops.
- 3 Lands with a good combination of physical and chemical features for the productions of agricultural crops.
- 4 Lands of lesser quality soils used for the production of the state's leading cash crops.
- 5 Lands of importance to the local agricultural economy
- 6 Lands on which the existing vegetation is suited to the grazing of livestock.
- 7 Lands occupied by structures with a building density of at least one unit to one half acre, approximately six structures on a ten acre parcel.
- 8 Area inventoried represents the extent of Important Farmland Mapping, derived, in part from USDA Soil Conservation Service County soil surveys. USDA Soil Conservation Service Soil Survey for this County does not include 11,924 acres of water area as counted by the County Assessor; see Table A-7.

The viability of agriculture in Marin relies upon the continuation of the very low density agricultural zoning implemented in the Inland Rural and Coastal Recreation Corridors in the early 1970s. The Countywide Plan established that urban and suburban development should occur primarily in the City-Centered Corridor, while agriculture and open space uses should occur primarily in the Inland Rural and Coastal Recreation Corridors. Over the years, the viability of agriculture in West Marin has been supported by such government programs as the Federal milk price support program, Federal parklands purchases with continued agricultural leasing, and watershed and Open Space District acquisition programs. The Williamson Act, passed in 1965 and amended in 1970, allows

for reduced property taxation for agricultural lands which fall within the established "agricultural preserve zone" and qualify under assessor-defined criteria. Agricultural preserve contracts on 95,176 acres are currently in effect. This program has been a major factor in keeping agricultural lands in production throughout the State.

Private measures to preserve agriculture include the purchase of development rights and agricultural easements, such as those programs sponsored by the Marin Agricultural Land Trust (MALT), a private non-profit organization. MALT's primary tool is the purchase of development rights and establishment of permanent agricultural easements, on privately-owned agricultural land. The landowner places permanent restrictions on future uses of his or her property in order to protect its agricultural character and productivity.

Transfer of Development Rights (TDR) is a local planning and zoning device provided for in the Marin County Zoning Code (Title 22.47.106) to protect agricultural uses from displacement by development. Implementation of a TDR program is important since land zoned for agricultural use also has development rights for other use, such as residential development. The exercise of these development rights often adversely affects and disrupts agricultural operations. A TDR allows the development rights on one property (the donor property) to be acknowledged and determined, and provides the means by which those development rights can be transferred to another (receiver) property through the master plan approval process. The purpose of such a transfer is to relocate potential development away from agricultural areas (as well as areas where environmental or land use impacts could be severe) to areas where those impacts can be minimized.

The Countywide Plan also allows for other compatible uses such as guest ranches, campgrounds, and hostels to be permitted in agricultural areas to allow for a reasonable use of private lands, and for a transfer of residential development rights to more compatible sites.

III. CHARACTERISTICS OF AGRICULTURE IN MARIN

A NATURAL RESOURCES

1. Climate

Climate is a major influence in the agricultural use of land in the county. The hilly topography, non-prime soils, and the lack of a reliable year-round water supply combine to create a terrain inappropriate for row crops. However, the coastal lands have a high level of moisture resulting from fog and are among the best lands in the state for grazing livestock. See Figure A-1. Rainfall is greater in southern and coastal areas and least in the north-central portion of the County. If rainfall continues into early spring, the fields and hills stay green longer thereby decreasing the need for supplemental water sources during the summer and fall months.

Much of Marin's agricultural land, especially in the coastal area, is subject to a cool and moist climate. Coastal rainfall produces better rangeland than in the inland areas of California. For example, the carrying capacity of Marin's non-irrigated rangeland often approaches one cow/calf per four acres. In the Central Valley, by contrast, the carrying capacity is generally one cow/calf per fifteen acres. With the high cost of feed and transportation, this productive, non-irrigated rangeland provides Marin dairies and ranches with a major asset in their competition with other California operations.

2. Soils

The Soil Conservation Service uses a land capability classification system developed by the U.S. Department of Agriculture to place soil areas into groups with similar management options or problems. Soils are designated by roman numerals I through VIII depending on their limitations and suitability for most common crops. The numerals indicate progressively greater limitations and narrower choices for use. For example, Class I soils have few limitations while Class VIII soils have severe limitations. The majority of agricultural soils in Marin fall into Classes II through VII.

The soils have been ranked by importance to agriculture in the state. In cooperation with the local Resource Conservation District and the Soil Conservation Service, a citizens advisory committee helped to identify farmlands of local importance. These lands included "all non-irrigated tillable and potentially tillable lands including Classes II through IV." These soils are most often found on level or gently sloping terrain such as the bayside lands east of Highway 101, the eastern shore of Tomales Bay and the northwestern corner of the County. Along the San Francisco Bay in Novato and San Rafael areas, reclaimed waste water is used to irrigate locally important grazing and crop lands.

Most of the remainder of Marin County is defined by the State Department of Conservation as grazing land. Grazing lands are those lands in soil classes V through VII, defined as "land on which the existing vegetation, whether grown naturally or through management, is suitable for grazing or browsing of livestock." About 98% of Marin's agricultural lands fall into the two categories of local farmland and grazing land (see Table A-1 and Figure A-2). The relationship between important farmlands, grazing lands, and other county land uses is shown in Table A-1.

3. Waters

Marin is unique in California in having two bodies of water, Tomales Bay and Drakes Estero, in which mariculture is practiced. Tomales Bay covers 10.97 square miles and contains approximately 3×10^9 cubic feet of water. The drainage area of Tomales Bay is approximately 223 square miles. The major streams draining into the bay are: Walker, Lagunitas, Olema, Nicasio, Arroyo, Chileno, and Salmon Creeks. Drakes Estero covers 3.75 square miles and contains approximately 3×10^8 cubic feet of water. Only two of the streams flowing into Drakes Estero have been named. The larger, Rodgers Creek, flows into Schooner bay. Home Ranch Creek flows into Home Bay.

Figure A-1. Rainfall and Plant Climates in Marin County

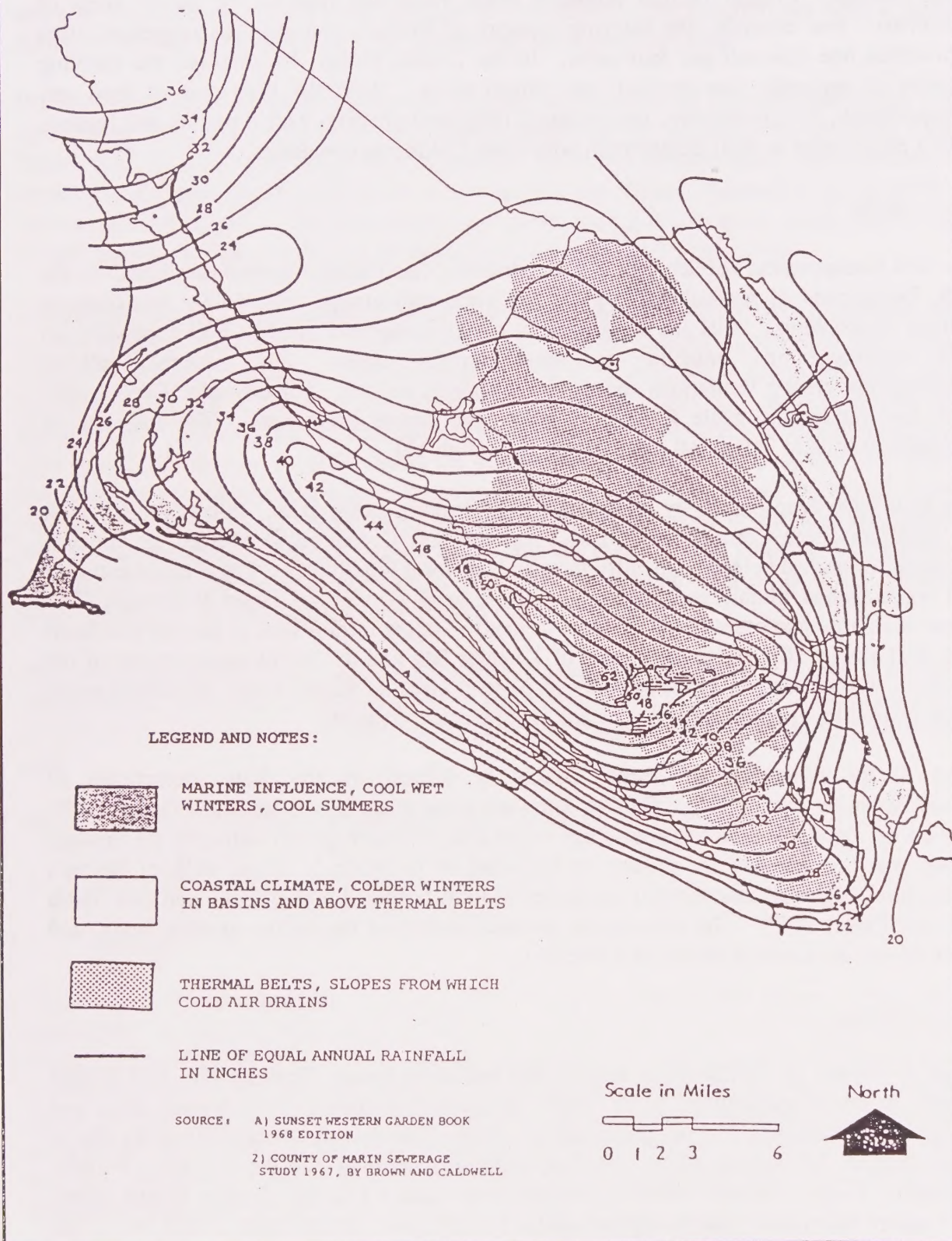
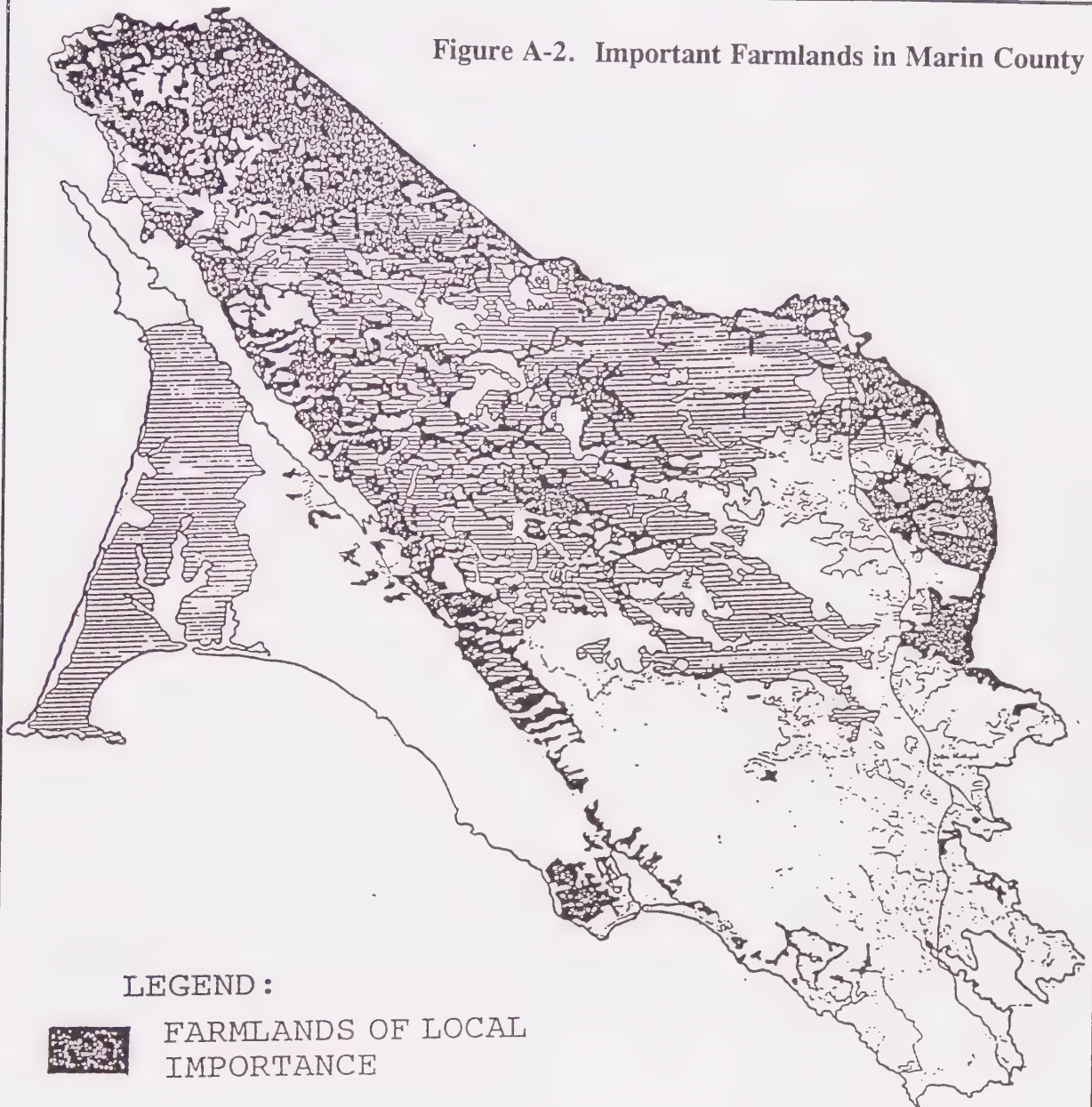


Figure A-2. Important Farmlands in Marin County



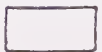
LEGEND:



FARMLANDS OF LOCAL
IMPORTANCE



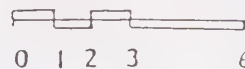
GRAZING LANDS



URBAN AND OTHER
LAND USES

SOURCE: A) U.S. SOIL CONSERVATION
SERVICE GENERAL SOILS MAP
2) DEPARTMENT OF CONSERVATION DRAFT
IMPORTANT FARMLANDS MAP

Scale in Miles



North



B. TYPES OF AGRICULTURE

In the 1950's, dairy products comprised over 80% of the total income from county agriculture operations (Marin County Annual Crop and Livestock Reports). This figure had dropped to 59% in 1979 but rebounded to 69.5% of the total income in 1987. By 1987, beef operations have declined to 5.7% of the County's sales, while pasture and cut plants have shown a marginal increase. After dairy and beef operations, poultry, and eggs are the most valuable products. The County also produces lamb, wool, hay, silage, nursery crops, fruits, nuts, and vegetables. In addition to these products, Marin County produces oysters, mussels, and clams.

1. Number and Size of Farms

The 1987 U.S. Census of Agriculture lists 285 farms in Marin County on 167,590 acres of land in agricultural use. The Census Bureau defines a farm as any agricultural operation with annual sales over \$250. Farms defined as such represent nearly half (49.6%) of the county's land base. Table A-2 indicates the status of lands in agricultural use in Marin County.

The average county farm size has remained relatively stable over the past 20 years. In 1987, the average farm was 588 acres. However, one third of all farms are fifty acres or less in size with 60% under 500 acres. The number of farms in large parcels over 1,000 acres in size has remained stable. Table A-3 shows the distribution of farms by size in Marin County.

There are ten shellfish producing farms in Marin County. The largest, Johnson's Oyster Company leases 1600 acres of Drakes Estero on which an estimated nine million oysters are raised annually. Tomales Bay hosts the other nine shellfish farms which culture an estimated two-and-a-half million oysters annually on six hundred and ninety acres.

2. Ownership Patterns

Agriculture in Marin County is a family business. Most ranches are owned and operated by families or a partnership of family members. Statistics from the 1987 Census of Agriculture reflect the high percentage of ranch owner/operators in Marin County: 207 out of a total of 285 farms in the County (73%) were operated by a full- or part-owner in 1987. The percentage of owner/operators has remained relatively constant from 1962 to 1982 (U.S. Census of Agriculture). During this period, approximately three quarters of all farm operators were at a least partial owner of the operation.

Table A-2. Status of Lands in Agricultural Use in Marin County

Category	Description	Acres	Percent
1	Contract Restricted - Agricultural Preserve or Open Space ¹	93,579	55.6%
2	Agricultural Lands in:		
	Golden Gate Nat'l Recreation Area ²	10,557	6.3
	Point Reyes National Seashore	20,659	12.3
3	Vacant Lands with Agricultural Zoning (not contract restricted) ³	15,584	9.3
4	Improved Lands with Agricultural Zoning (not contract restricted) ³	12,537	7.5
5	Vacant Lands with Other Zoning, but in Agricultural Use ³	15,330	9.1
Total		168,246	100.0%

¹ Marin County Assessor's Mapping, July 1991

² National Park Service

³ Marin County Planning Parcel Database Estimate, March 1988

Farm size has also remained stable. In 1959, the average farm size was 603 acres as compared to 588 acres in 1987. Table A-3 provides a summary of these trends.

Table A-3. Trends in Selected Agricultural Characteristics for Marin County (1959-1987)

Trends	1959	1964	1969	1974	1982	1987
Number of Farms	377	289	263	250	274	285
Lands in Farms (acres)	227,450	172,885	175,038	148,893	165,935	167,590
Average Farm Size (acres)	603	598	666	596	606	588
% of County in Farms	68	52	53	45	49.6	50
Farm Size:						
0 - 499 acres	231	173	161	150	164	178
500 - 599 acres	64	55	35	40	46	41
1,000 acres or more	82	61	67	60	64	66

Source: U.S. Department of Commerce, Census of Agriculture, 1987.

C. MARIN/SONOMA RELATIONSHIPS

Any discussion of agriculture in Marin County is incomplete without a recognition of its relationship to agriculture in Sonoma County. The 1987 Census of Agriculture shows Sonoma County with 3,039 farms - more than ten times that of Marin County. Agricultural output in Sonoma County has climbed steadily from a forty-year low in 1977, due to the drought, to a forty-five year high in 1987 of \$209 million.

In 1987, the average farm size in Sonoma was 181 acres, approximately one-third of the Marin County average. The difference in size may be attributed to Sonoma County's greater diversity of soils, crops, and climatic conditions.

Many Marin County dairies import hay and grain from Sonoma. The Marin and Sonoma dairies depend on one another to support the dairy cooperatives necessary for marketing their product. The California Cooperative Creamery in Petaluma began in 1913 with 33 dairies from the Petaluma area. Marin County dairy farmers first joined in the early 1950s. Today, 53 of the 65 dairies in Marin are members and they contribute 40% of the milk. Many Marin ranchers travel to southern Sonoma County for supplies, entertainment, and other amenities. For cattle and sheep operations, the relationship is less strong, but still significant.

D. FEDERAL PROGRAMS, MILK PRICE SUPPORTS, AND DAIRY HERD BUYOUT

The Federal Milk Price Support Program was designed to stabilize the market for milk products. This program guarantees a base price to creameries for milk, butter, cheese, and dry milk that meet certain quality standards and cannot be sold in the marketplace. However, due to national agricultural policy, a series of changes in the formula to establish the milk price support has contributed to uncertainty among the dairying community. From 1978 to 1981, the price subsidy rose from \$9.43 per 100 weight to \$13.10 per 100 weight. As of August 1988, however, the price has been cut to \$11.35 per 100 weight.

The 1987 Dairy herd Buyout Program was a one-time Federal effort to reduce the numbers of producing milk cows in the nation. It created a market to "buy out" whole herds of dairy cattle by selling them to the government for slaughter or export. Numerous offers of herd to the Buyout Program were made by dairying operations in Marin, but only three were bid low enough to meet Federal guidelines. As a result, 1,093 head were slaughtered and 340 head were exported to Mexico. The three operations were also required to stay closed to the dairy business for five years, but remained in agricultural use as ranching operations.

E. GENERAL MANAGEMENT PLANS FOR POINT REYES NATIONAL SEASHORE AND GOLDEN GATE NATIONAL RECREATION AREA

The Point Reyes National Seashore and the Golden Gate National Recreation Area were established by Congress in 1962 and 1972, respectively, to preserve the undeveloped shoreline and recreational open space for public benefit and enjoyment. In both cases, a "pastoral zone" has been established where dairy and beef cattle are allowed to graze, and in some cases, where crops are grown.

The enabling legislation for the Point Reyes National Seashore and Golden Gate National Recreation Area supports continuance of the current agricultural uses within the park boundaries. Public Law 95-625 (enacted in 1978) strengthened the legislative provision for

continued agricultural use. This provision was in response to local concerns that park acquisitions would negatively impact Marin's agricultural economy. To allow the traditional agricultural activities to continue, the National Park Service and ranchers enter into leases, special use permits, or reservations of use.

Ranching and dairying operations exist on approximately one-third (20,650 acres) of the Point Reyes National Seashore. These operations carry 3,400 dairy cattle, 1,700 beef cattle and cultivate about 1,500 acres for hay and silage. They involve 15 resident ranch headquarters and 18 ranchers. The Northern District (pastoral zone) of the Golden Gate National Recreation Area has 10,557 acres in ranching involving 10 resident ranchers and 4 non-resident ranchers who raise approximately 920 beef cows.

The National Park Service (NPS) has established resource management policies to maintain and perpetuate the integrity of the park system. These policies were given specific expression in the Range Management Guidelines (April 1988). The guidelines help the NPS administer the grazed rangelands in a manner that will protect the environment by: preserving archeological sites; protecting streams, stream banks, and wetlands from contamination and sediments; minimizing soil erosion; minimizing spread of noxious non-native plant species; providing for the recovery of rangelands in deteriorated condition; taking dry residual matter measurements and governing pesticide use.

The guidelines provide a methodology for measuring and improving the park's rangelands through the permit process. More specific ranch unit plans will be developed by NPS over time, in order to maximize resource protection while considering ranch operations and economic viability. The NPS will calculate the relative grazing impact of different kinds and classes of domestic livestock in the parks in terms of "animal unit equivalents." One animal unit is equal to one mature (1,000 pound) cow or the equivalent based upon average daily forage consumption of 26 pounds of dry matter per day. Consumption is measured in "animal unit months" (AUM's) meaning the amount one animal unit consumes in one month. The NPS uses the following animal unit equivalents (Table A-4) to calculate stocking levels and establish permit fees.

F. AGRICULTURAL PRODUCTION TRENDS IN MARIN

Agriculture is the leading industry in California, generating \$12.5 billion in annual sales, and providing a quarter of the nation's food and 40% of its fresh fruits and vegetables. The state's two leading industries, dairy products and cattle, are also the leading agricultural commodities in Marin County. In 1992, Marin's gross agricultural income totaled \$41.9 million; with \$28.8 million from dairy operations. These dairy operations generated about 69% of total county agricultural sales (see Table A-5).

Historically, the dairy industry has been the major agricultural activity in the county with most ranches belonging to third- and fourth- generation ranch families. The dairies are generally located in the northeast section of the Inland Rural Corridor. Dairies in Marin provide approximately a quarter of the Bay Area milk supply.

Table A-4. Animal Unit Equivalents

Animal Unit Equivalents Established for Point Reyes National Seashore and Golden Gate National Recreation Area		
	Type of Livestock	Animal Units
Cattle		
	Cow with or without unweaned calf at side or heifer 2 years or older	1.0
	Bull, 2 years or older	1.3
	Young Cattle, 1 to 2 years old	0.8
	Weaned calves to yearlings	0.6
Horses		
	Horse, mature	1.3
	Horse, yearling	1.0

Livestock production (including cattle, poultry and lamb) is the second largest agricultural industry in the county. Beef cattle, cow/calf operations provide the majority of revenue with poultry and sheep grazing operations comprising the balance. The various types of livestock operations are often combined on one ranch. Countywide, a total of 67 ranches are involved in beef cattle operations, predominantly in the central part of the Inland Rural Corridor, while 34 ranches graze sheep in northwest Marin according to the 1990 Census of Agriculture.

Livestock operations in Marin County are heavily dependent upon imported feed to supplement local grazing lands. Although no recent figures are available, in 1983, Marin County ranchers imported approximately 48,750 tons of grain and 92,081 tons of hay, valued at \$16 million. This is equivalent to roughly 1/3 of the total dollars produced by the agricultural community that year. Local hay production in 1983 was only 5,419 tons. The cost per ton for both hay and grains tripled in the ten year period between 1974 and 1984, rising from an average of \$45 per ton to \$130. The cost of one ton of hay in July 1991 was approximately \$115. (The price of feed fluctuates according to the quantity and quality of harvest, time of year, demand, and transportation costs.) Hay and silage planting has increased in recent years to offset importation costs. In 1992, 25,685 tons were harvested.

The data for Table A-5 was collected by the Agricultural Commissioner. Since many of the questionnaires sent to agricultural producers were not returned to the Commissioner, the value of agricultural production is assumed to be substantially under-reported.

Several smaller farm operations producing fruit, nut, vegetable, and plant products sold locally indicate new viability in areas where soils can support this production. The market for these products has been stimulated by the highly favorable public response to farmers'

markets, open air markets held year-round on the Civic Center grounds and seasonally in downtown San Rafael and Novato.

Table A-5. Value of Marin County Agricultural Commodities, 1992

Commodity	Dollar Value	Percent
Livestock Products	\$28,858,733	68.75%
Milk (Market)	28,798,450	68.61
Milk (Manufacture)	35,141	0.08
Wool	25,142	0.06
Livestock and Poultry	5,979,183	14.25
Poultry and eggs: hatching and production	2,390,582	5.65
Cattle	3,187,237	7.6
Lambs	401,364	1.00
Field and Orchard Crops	4,370,068	10.40
Pasture, non-irrigated	2,310,000	5.50
Fruits, nuts and vegetables	1,315,249	3.13
Hay and Silage	654,619	1.56
Pasture, irrigated	90,200	0.21
Aquaculture	1,613,556	3.85
Nursery Crops	1,150,737	2.75
Total	41,972,277	100.00%

Source: County of Marin: Annual Livestock and Agricultural Crop Report, 1992. Note: These figures are known to be far below actual production since most of the questionnaires sent out were not returned to the Agricultural Commission.

Mariculture of shellfish has been practiced in the County since the mid-1800's, but only in the past decade has renewed interest and improved technology spurred production. Much of the renewed interest can be attributed to the focus of academic programs on expanding our utilization of existing resources, particularly the sea. The refining of hatchery technology to control the reproductive cycles of mollusks has allowed the industry to expand into areas without adequate native shellfish stocks. Table 6 illustrates the production and dollar value of oysters, clams, and mussels in Marin County.

Table A-6. Production and Dollar Value of Mariculture in Marin County

	Year	Production Acreage	\$ Value
Oysters, Clams and Mussels	1990	1,245	\$1,808,186
Oysters, Clams and Mussels	1991	1,260	\$1,829,528

III. EXISTING AGRICULTURAL POLICY IN MARIN COUNTY

A. ENVIRONMENTAL CORRIDORS

The Marin Countywide Plan divides the county into three corridors according to distinct environmental characteristics and County land use policies (see the Environmental Quality Element). Most of Marin's agricultural land is located in the Inland Rural Corridor (see Figure A-3).

The City-Centered Corridor, the eastern portion of the county adjacent to Highway 101, is the most densely populated corridor while having agricultural uses on bayfront lands. The Coastal Recreation Corridor is dominated by Federal and State parklands which contain large important agricultural land holdings leased for agricultural operations on Federal lands.

B. AGRICULTURAL DISTRICTS

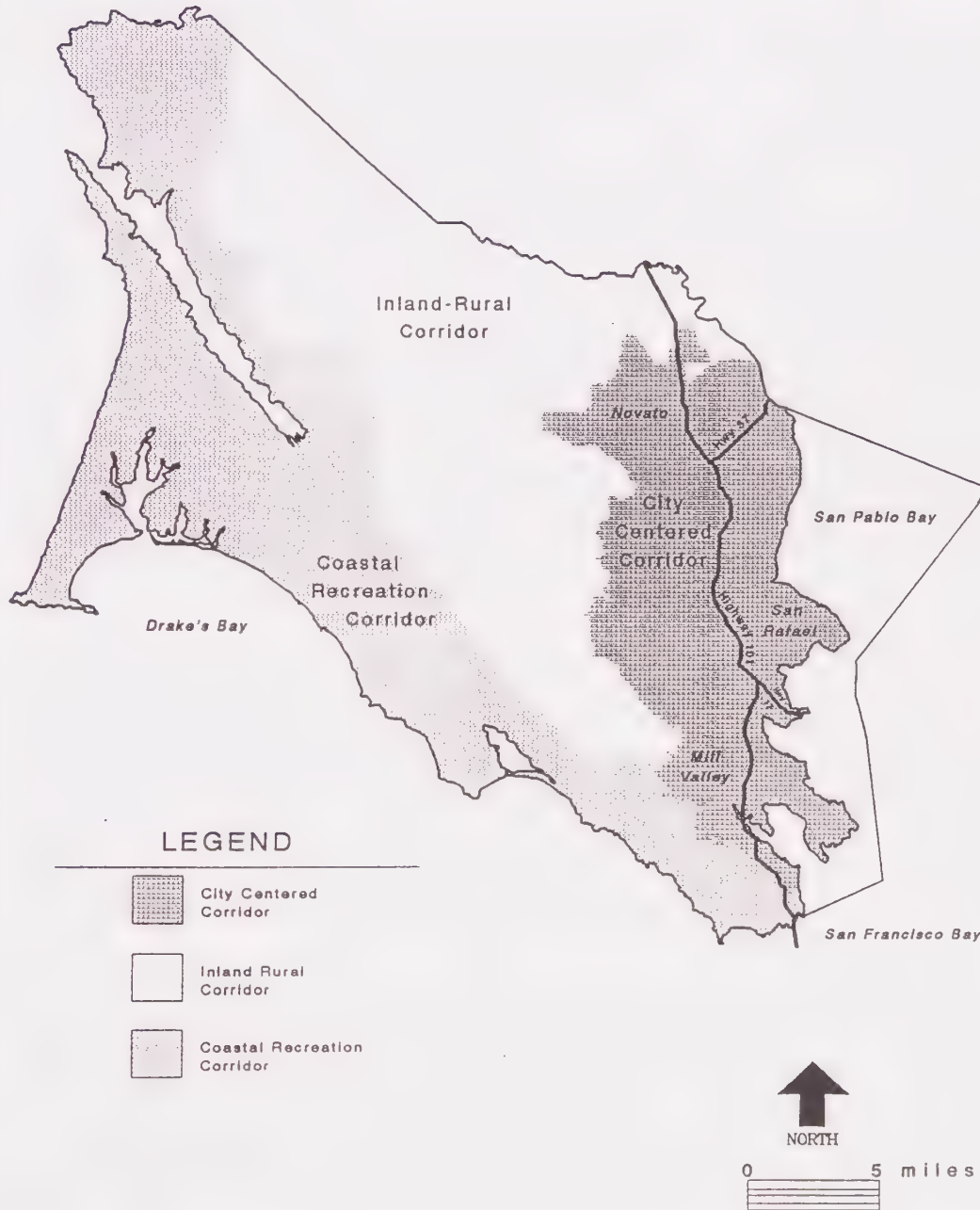
1. Agricultural Zoning Districts

Among land use planning tools, agricultural zoning districts provide the most effective method for encouraging and preserving agriculture.

Marin has three agricultural zoning districts: the A (Agriculture) district; the ARP (Agricultural Residential Planned) district, and the APZ (Agricultural Production Zone) district. Most of the land within these three zoning districts has a 60-acre minimum lot size requirement, although the A and ARP districts include areas with minimum lot size as small as two acres. The portion of Marin County which is zoned A-60 is illustrated in Figure A-4. The A district predominates in the Inland Rural Corridor in areas such as Hicks Valley and Chileno Valley. The ARP district has been applied primarily to the Nicasio and San Geronimo Valley areas. The APZ district exists in the coastal agricultural areas.

Agricultural zoning districts protect agricultural uses by requiring very low density development (60 acres per dwelling unit in most areas) and restricting the land to agricultural or other compatible uses. About 90% of the agricultural land in Marin is zoned A-60, A-RP-60, or C-APZ-60, which allows one housing unit for every 60 acres. The A zoning district, the least restrictive of the three, covers a majority of agricultural land in the county. Several non-agricultural uses (those uses which do not involve the raising or production of food or fiber) are allowed in the A district subject to a use permit. These uses include: horse breeding, boarding and riding facilities, aircraft landing strips, oil and gas production operations, mining, rifle range, golf courses, institutional uses and junkyards.

Figure A-3
Marin Countywide Plan Environmental Corridors



The County attempts to minimize the loss of agricultural land through clustering of development on lots within the A zone. The major purposes of clustering are to maintain farm units of a minimum viable size and to segregate agricultural uses from non-agricultural uses. Many of the individual parcels of land in A districts are comprised of hundreds of acres of land. These large agricultural holdings can be subdivided to the minimum lot size specified in the zoning district, even if such a subdivision would limit the economic viability of agriculture.

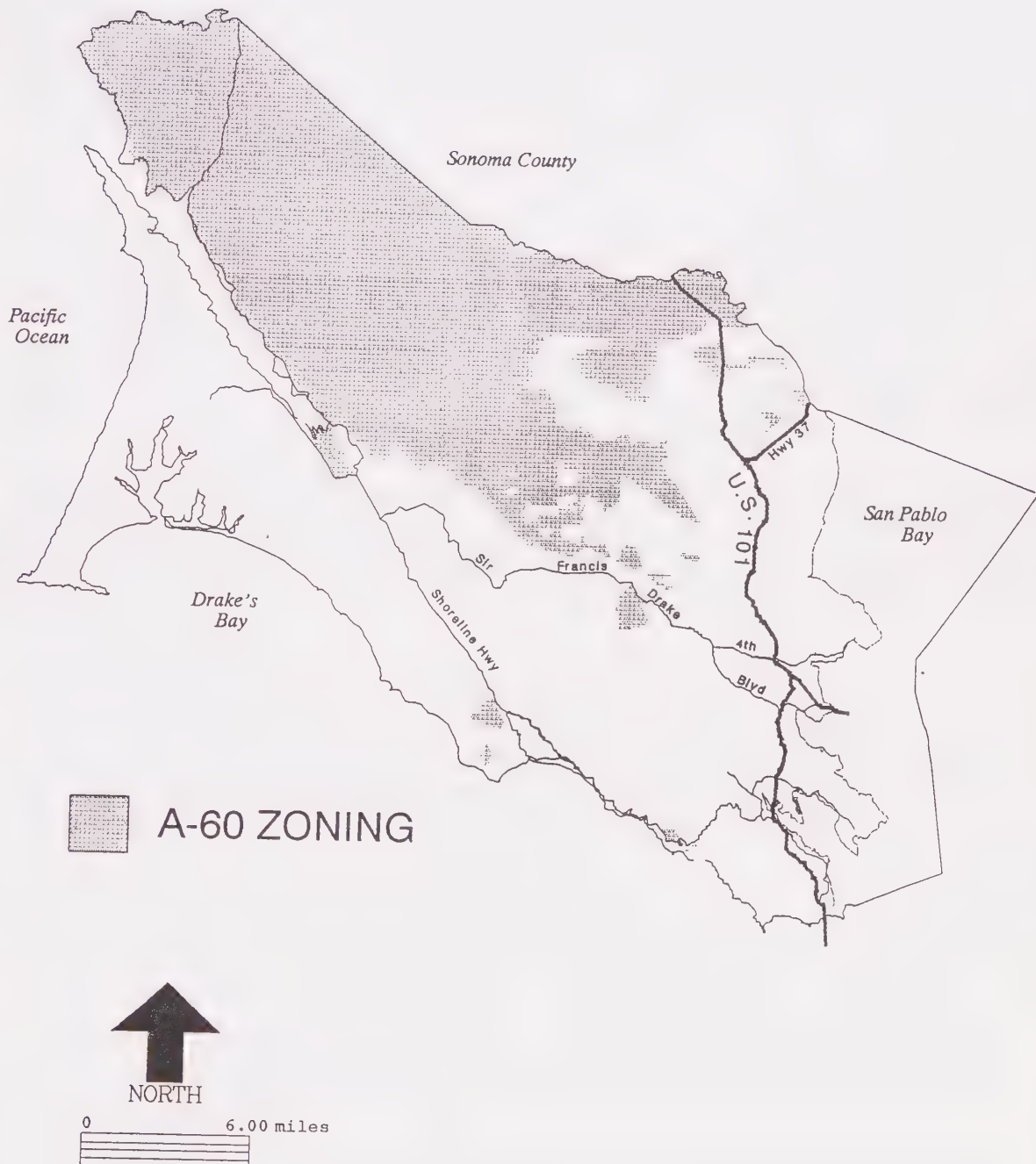
Similar to A districts are A-2 (Limited Agricultural Districts) and R-A (Suburban Agricultural Districts). These districts allow residential uses with more limited agricultural uses. These zones have been applied largely in outlying parcels in the City-Centered Corridor and in the San Geronimo Valley.

The Agricultural Residential Planned District (ARP) was enacted as a result of community concerns about the gradual conversion of agricultural lands to rural residential uses. This district allows commercial uses in addition to agricultural uses. However, any proposed commercial use would require a master plan which shows how the agricultural use will be continued on at least 95% of the property. The Master Plan must also show that the commercial use will be compatible with agricultural activities on surrounding properties. In addition, the ARP district has more stringent design and development standards than the A district, such as a Transfer of Development Rights (TDR) program and a requirement to submit an agricultural management plan. The ARP district has been applied primarily in the Nicasio Valley for implementation of the Nicasio Community Plan and in portions of the San Geronimo Valley.

Of all the agricultural zoning designations, the APZ designation offers the greatest support for agricultural uses. Agricultural lands in the coastal zone were rezoned APZ after adoption of Unit II of the Local Coastal Program in December, 1980. The authority for protection of agriculture in the coastal zone comes from the California Coastal Zone Act statement: "protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal environment and its natural and artificial resources." Non-agricultural uses permitted in the A and ARP districts are not allowed in the APZ district. However, the APZ district does permit commercial operations that are compatible with agricultural uses.

To ensure the continued agricultural use of lands in Marin County zoned A-60 and ARP-60, the County should consider creation and adoption of a uniformly applied primary agricultural zone such as APZ. Consideration of this primary agricultural zone should include a determination of development standards, the short- and long-term effects of non-agricultural uses in agricultural districts, the effect of non-agricultural operations on soils and plants, and traffic impacts. In addition, the long-term effect of permitting residential uses in an agricultural area should be reviewed in terms of the effect on land value expectations and incompatibility.

Figure A-4. A-60 Zoning in Marin County



While most agricultural land owners have a long-term commitment to agriculture, strong market pressures and family circumstances can compel an agricultural property owner to pursue subdivision and land development. Given these development pressures, it is important that County zoning and subdivision regulations guide subdivisions in a manner which does not result in small and inefficient farming units. Consequently, a reconstituted primary agricultural district should follow the guidelines of the APZ zone. These guidelines require development to be clustered on no more than 5% of the gross acreage, with the remaining acreage to be left in agricultural production or open space.

2. Right-to-Farm

As residential uses encroach on land historically used for agriculture, farmers face opposition from neighbors for agricultural operations. Farming activities that residential neighbors oppose include, but are not limited to: hay or silage cutting, which creates noise and dust at odd hours; milk trucks which may run at any time of day or night; and odor from dairy cattle and beef operations. Residential neighbors may file nuisance claims against such agricultural activities.

Presently, the incompatibility of agriculture and residential uses has not resulted in many nuisance complaints, primarily because agricultural land uses are buffered by open space. However, as residential uses encroach into rural areas, the possibility of nuisance complaints increases.

One of the main goals of the Countywide Plan is to preserve agricultural land uses. In order for agricultural operations to survive in Marin County, farmers must be able to conduct farming activities as they have in the past as well as explore the use of new farming technologies as they arise. A right-to-farm ordinance would help to preserve existing agricultural operations by protecting farmers from nuisance complaints by residential neighbors. A right-to-farm ordinance may incorporate one or more of the following:

Declaration that normal farming operations do not constitute a "nuisance" if initiated before a complaining neighbor moved in;

Requirement that sellers, real estate agents, and title companies inform prospective home buyers that commercial farming operations are close by and that odors, dust, flies and noise may accompany such operations;

Establishment of a grievance or arbitration committee to mediate disputes between farmers and non-farm residents;

Levy of fines for damages resulting from vandalism, pilferage, and loss of livestock from domestic pet predation or other related losses.

C. LOCAL COASTAL PROGRAM

Marin's Local Coastal Program (LCP) is divided into two geographic units. LCP Unit I, which includes those coastal lands south of Oleina, is mostly in Federal park land. LCP Unit II, between Olema and Sonoma County, contains the Point Reyes National Seashore and privately owned agricultural land along Tomales Bay. Together LCP I and II (adopted in 1980 and 1981) amend the Countywide Plan policies for these areas and serve to:

Permanently preserve productive agricultural lands;

Assure that non-agricultural uses do not conflict with agricultural uses and are compatible with the rural character of the coastal zone, and

Concentrate development in suitable locations.

To implement the policies, the LCP establishes three agricultural zoning districts: 1) Coastal, Agricultural Production Zone (C-APZ); 2) Coastal, Agricultural Residential Planned (C-ARP), and 3) Coastal, Residential Agricultural (C-R-A).

Most of the coastal zone is zoned C-APZ. Both the C-APZ and C-ARP districts require master plans for principal permitted uses and use permits for conditional uses. Both have stringent design and development standards. The C-APZ District, for example, requires that:

All development be clustered on no more than 5% of the gross acreage, close to existing roads, and sited in a manner which minimize impacts;

Permanent conservation easements be established over the non-developed portion of the property, with no further subdivision of the parcel.

In addition, the C-APZ district requires the following key findings as a prerequisite for development or subdivision:

Protection and enhancement of continued agricultural use and contribution to agricultural viability;

Necessity of development because agricultural use is no longer feasible;

Development does not conflict with continuation of agriculture on the property or on parcels within one mile of the parcel;

In addition to these requirements, the C-APZ district in particular encourages the consideration of Transfer of Development Rights (TDRs) to relocate development from areas where environmental or land use impacts could be severe to other areas where those impacts can be minimized.

D. BAYFRONT CONSERVATION ZONE

The Bayfront Conservation Zone includes lands along the shore of San Francisco and San Pablo Bays containing tidal marshes, seasonal marshes, lagoons, natural wetlands and low-lying grasslands overlying historic marshlands. Some of these lands have been diked off from the bay and are used for growing hay and grazing cattle. They also provide seasonal wetland habitat for migratory waterfowl and shorebirds and ponding areas for flood control.

Land uses in Bayfront Conservation Areas are outlined the following policy:

Policy EQ-2.45

Diked Historic Marshlands Subzone. The County shall, through its land use and development regulations, foster the enhancement of the wildlife and aquatic habitat value of the diked historic marshlands subzone. Land uses which provide or protect wetland or wildlife habitat, and which do not require diking, filling, or dredging, shall be encouraged. These uses include, but are not limited to:

- restoration to tidal status
- restoration to seasonal wetlands
- agricultural use
- flood basin, and
- wastewater reclamation area.

In addition, other uses which do not require diking, filling, or dredging, may be allowed if such uses are consistent with the zoning designation and it can be demonstrated that impacts to the bayfront environment are minimized and mitigated. Land uses that provide protection from flood or other natural hazards may be allowed if necessary to protect public health and safety. Existing dredging operations in developed areas may continue, subject to environmental review, if necessary.

When development is proposed, priority should be given to water oriented uses such as public access and low intensity passive recreational and educational opportunities.

Housing uses, with an emphasis on affordable housing, would provide substantial public benefit and may be considered if environmental impacts can be mitigated. The protection of the bayfront environment should take precedence over the provision of affordable housing.

The County has adopted three policies which deal specifically with agriculture in the Bayfront Conservation Zone. They are:

Policy EQ 2.58

Protection of existing agricultural lands. The County shall protect existing agricultural lands in the Bayfront Conservation Zone. These lands are an important resource for the County because they:

- are a visual and scenic resource;
- play an integral role in other agricultural and dairy operations in Marin County;
- are a productive economic resource; and
- are compatible with water-related wildlife habitat.

Such agricultural activities could consist primarily of grazing operations and crop production harmonious with adjoining marshes, wetlands, grasslands, or other sensitive lands. Agricultural lands provide habitat for many wildlife species. These habitats may be important for migratory species during times of flood and after silage has been cut.

Policy EQ-2.59

Natural vegetation. Agricultural activities should minimize removal of natural vegetation and avoid the removal of natural vegetation, where possible.

Policy EQ-2.60

Pesticides, insecticides and similar materials. Use of pesticides, insecticides, etc. should comply with existing federal and state standards, as implemented by the County Agricultural Commissioner.

The County has adopted an overlay zoning district in unincorporated bayfront areas which requires an environmental assessment of a property located in that zone prior to development approval. Countywide Plan policies and zoning foster the continuation of agricultural uses in the Bayfront Conservation Zone.

E. LOCAL AGENCY FORMATION COMMISSION (LAFCo) POLICIES

The Marin Local Agency Formation Commission is a five-member board consisting of two members of the Board of Supervisors, two city council members and one at-large member. California law enables LAFCo to decide upon the formation, consolidation, and dissolution of cities and special service districts that provide urban services to the residents of Marin. Most frequently, LAFCo decides upon whether new lands may be annexed to existing cities and special service districts so that they may be developed. The Commission's decisions are subject to state law, but are independent of any city or the Board of Supervisors' decisions.

The Marin LAFCo has adopted the following policies regarding agricultural lands:

Land which is currently engaged in the substantial production of food, fiber or livestock, or is identified as agricultural land, either by zoning classification, Williamson Act contract, or by general plan designation, shall not be annexed to a city or a sanitary sewer agency for the purpose promoting urban development. (First adopted July 13, 1977; revised January 13, 1983.)

Development of existing vacant or non-prime agricultural lands for urban uses within a city's and/or special district's jurisdiction or within a city's and/or special district's sphere of influence should be encouraged before any proposal is approved which would allow for or lead to the development of existing agricultural or open space lands for non-agricultural or non-open space uses which are outside of the city's and/or special district's jurisdiction or outside of city's and/or special district's sphere of influence. (Adopted July 13, 1977.)

These policies give LAFCo the ability to deny an annexation which could threaten agriculture in the county while allowing annexations that promote orderly development within recognized service areas.

F. WILLIAMSON ACT

The Williamson Act was passed by the California Legislature in 1965. This law allows a property owner to contractually restrict his or her land to agricultural uses for a period of 10 years in exchange for a County tax assessment based on the property value in agricultural use rather than at market value. Improved parcels with homes and other qualifying improvements are also eligible for Williamson Act contracts. The land is valued for agriculture, but the improvements are assessed at 1% of value as set by Proposition 13.

In 1970, the Act was amended to require local governments to establish agricultural preserve boundaries that define those areas within which the County would enter into Williamson Act contracts. The Marin County Board of Supervisors appointed a County Land Conservation Advisory Committee which met through the spring and summer of 1971. The Committee designated the Marin County Agricultural Preserve Zone. The boundaries of the preserve were later amended to allow parcels within one mile of the initial preserve boundaries to be included as well (see Figure A-5). Certain sites, such as the Silveira/St. Vincent's parcels in San Rafael, were specifically excluded from the preserve zone in a later action following implementation of the 1973 Countywide Plan.

Within the preserve zone, the Committee established which lands would be eligible for a Williamson Act contract using the following criteria:

A parcel must be at least 10 acres in size if it is prime agricultural land or 40 acres in size if it is not prime agricultural land (as defined by the USDA Soil Conservation Service).

The dominant use of the land at the time of application for a contract shall be agricultural. The following factors shall be considered to determine whether the use is dominant:

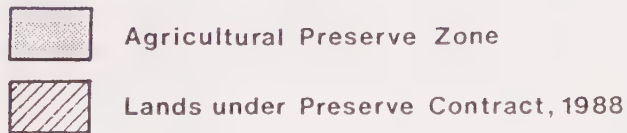
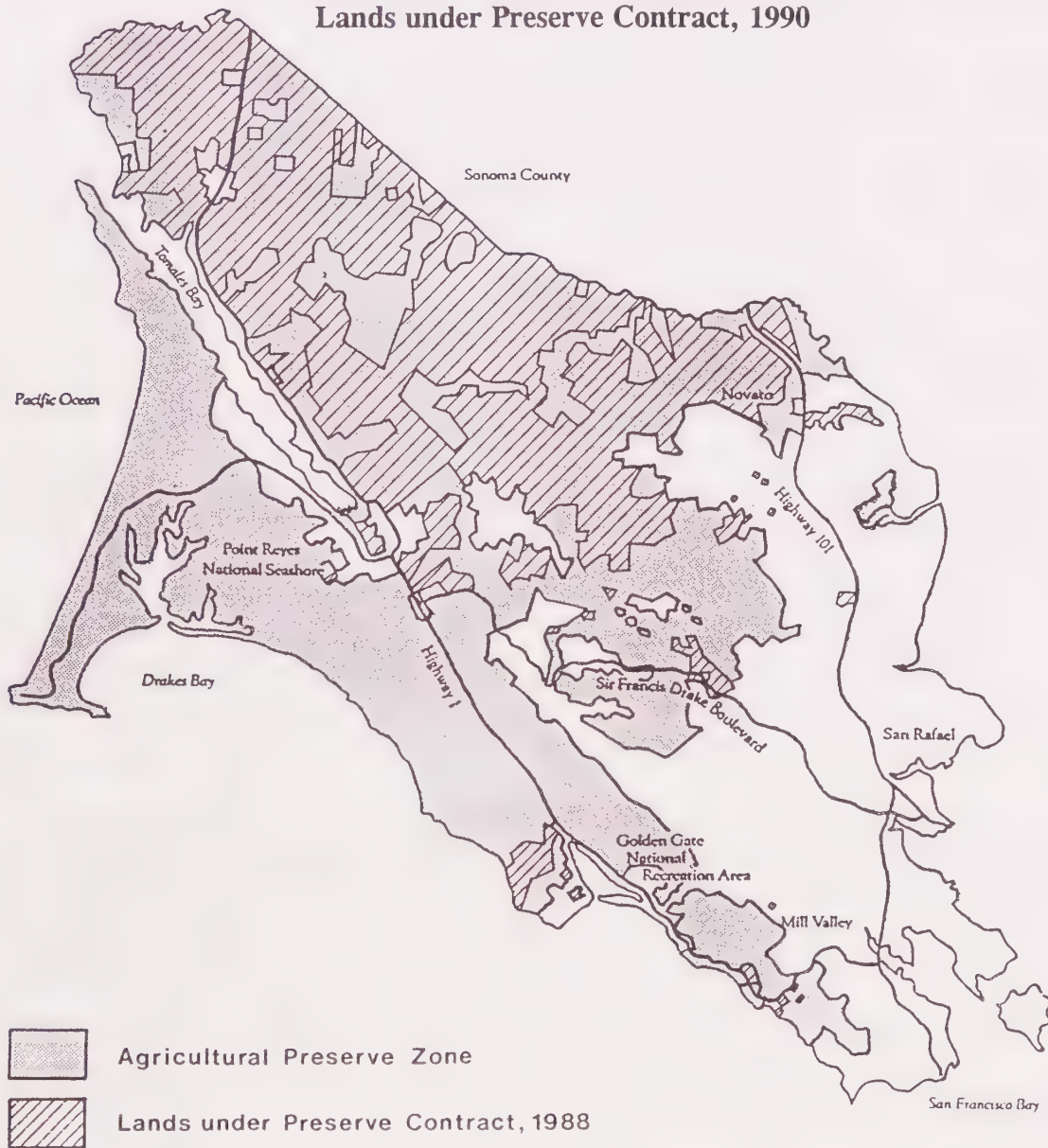
- Capability of the agricultural use to produce a living for the owner;
- The value of the product produced on the land in recent and future years;
- The proportion of time during the year when the agricultural use is in effect;
- The proportion of land devoted to the agricultural use;
- The character of non-agricultural uses on the land.

Although participation is voluntary, the low property taxes which result from a Williamson Act contract are a significant incentive to the maintenance of agriculture. The contract is automatically renewed annually, but the actual tax may change due to a formula involving a capitalization rate set, in part, by the State Board of Equalization. This rate fluctuates from year to year because it is based upon the "average yield rate" of long term U. S. Government bonds as published by the Federal Reserve Board. When interest rates drop, the capitalization rate formula may result in higher real estate taxes for Williamson Act properties, although even these taxes are far lower than they would be under market conditions. Figure A-5 shows the current agriculture preserve zone boundaries.

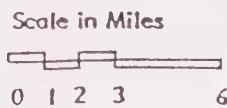
Landowners may withdraw from a Williamson Act contract, if they so choose, nine years after giving notice. Withdrawal begins a nine year procedure which gradually brings the tax up to its unrestricted market value in the tenth year. Alternatively, owners may request cancellation at any time, and are subject to a penalty fee as well as a tax based upon unrestricted value of the land. State law requires such cancellations to be approved by both the Board of Supervisors and the State Department of Conservation. Owners of agricultural land may also apply to the Board of Supervisors to have the boundaries of the Agricultural Preserve Zone amended to include their property so that it would be eligible for a Williamson Act contract.

Williamson Act lands can be subdivided to the minimum lot size specified under County zoning. However, Williamson Act contracts allow only one principal residence, regardless of the number of parcels within the contract. Additional units up to the maximum allowed under the zoning classification may be developed for family members or employees engaged in the agricultural use of the land, only after an affirmative finding by the County that such units are reasonably related to the agricultural use of the land.

**Figure A-5. Agricultural Preserve Zone
Lands under Preserve Contract, 1990**



Agricultural Preserve Zone



Certain acreage, zoning, and agricultural production criteria must be met as a condition of the contract. According to the County Assessor, Williamson Act contracts cover some 507 parcels on 95,176 acres in fiscal year 1991-92. In the next four years (1991-1994), contracts on seven agricultural parcels (86.4 acres) will expire. The remaining contracts will be automatically renewed unless property owners file non-renewal requests with the County Assessor. No non-renewal requests have been filed for the 1991-1992 fiscal year.

G. MARIN AGRICULTURAL LAND TRUST (MALT)

MALT is a private, non-profit organization established to preserve and protect the county's agricultural lands through purchase of conservation easements. A conservation easement is a legal agreement between a landowner and MALT in which the owner places permanent restrictions on future use of his or her property in order to protect its agricultural character and productivity. The easement prohibits some or all subdivisions, residential or commercial development, and uses which would be destructive to the agricultural use and productivity of the land.

The easement does not limit the owner's right to sell, bequeath or otherwise transfer title to his or her land, subject only to the terms of the conservation easement. The purchase of conservation easements provides the agricultural landowner with capital to modernize agricultural operations, pay estate taxes, buy out partners or co-owners, provide for retirement and generally facilitate the generational succession of agricultural land and its continued agricultural use. By acquiring easements, MALT compensates the landowner for giving up the development potential on his or her property, and assures the long-term agricultural future of the land. As of February 1993, MALT held conservation easements on thirty-three properties representing 22,098 acres of agricultural land.

Initially, the capital for MALT's agricultural land preservation program came from two grants of \$1,000,000 each, granted in 1984 by the State Coastal Conservancy and Buck Trust. The Marin County Open Space District has also established a cooperative program with MALT whereby 10% of its annual uncommitted acquisition funds are allocated for agricultural land preservation projects through MALT. This figure has averaged about \$35,000 per year.

With the passage of Proposition 70 in June 1988, Marin County received \$15 million dollars with which to purchase agricultural easements. MALT has an agreement with the County to be the principal agent for agricultural easement acquisitions. Over \$10.8 million of that fund has been encumbered, leaving over \$4 million still available as of January 1993.

H. TRANSFER OF DEVELOPMENT RIGHTS

Transfer of Development Rights (TDR) is a planning and zoning device used to protect land in agricultural use from displacement by development. TDRs allows the development rights on one property (the donor property) to be determined, and provides the means to

transfer those development rights to another (receiver) property. The purpose of such a transfer is to relocate potential development from areas where environmental or land use impacts could be severe to areas where those impacts can be minimized.

TDRs provide a tool for maintaining agricultural uses without interruption and threat from incompatible land uses. Where a TDR is used, the future development of the donor property should be limited by a recorded conservation easement or restriction which notes that development rights have been transferred to another property.

The Marin Countywide Plan recommends use of TDRs as a technique to preserve open space and agricultural lands. The TDR program allows development rights to be transferred to designated areas where development would have fewer environmental impacts. Thus far, authority has been provided in the Marin zoning code to allow consideration of TDRs within the Nicasio Community Plan area on ARP zoned land and within the LCP Coastal Zones on C-APZ zoned land. To date, few transfers of development rights have been accomplished. The use of this mechanism has been inhibited, in part, due to the lack of certainty of appropriate receiver sites. A program, either experimental or comprehensive, should be considered to identify receiver sites for potential development rights transfer.

I. FEDERAL, STATE AND COUNTY PARKLANDS, WATERSHED, AND OPEN SPACE ACQUISITIONS

The purchase of lands for parks, watershed and open space by the Federal, State and local governments, plus those owned by the water districts and Open Space District has served to reduce development pressures on agricultural lands for several decades. The County's support for these purchases over the years, while stemming largely from a recreational, environmental or open space policy orientation, has had the effect of supporting agricultural endeavors in the Inland Rural and Coastal Recreation Corridors. Table A-7 shows how much land has been acquired by public entities for these uses.

Table A-7. Public Use Lands In Marin County

Jurisdiction	Acres
Federal Parks	92,538
State Parks	12,853
Marin County Parks	2,115
Marin Watershed Lands	22,731
Marin County Open Space District Lands	12,560
Tidelands, Marshlands, Mudflats	10,000
Total Lands in Public Use	152,797
Total Acreage in Marin County	388,352

Source: Marin County Assessor, 1987.

Although many counties experience conflicts in areas where residential land uses adjoin agricultural land uses, Marin County's parks and open space lands frequently provide a buffer between residential and agricultural land uses. The County has zoned land for residential uses on the urban side of the open space lands and created agricultural zoning on the rural side of the open space lands. This departs from the traditional approach of providing a gradation of land uses and zoning from suburban residential to rural residential to high intensity agriculture. Table A-8 displays the overall land use effect of public ownership.

**Table A-8. Land Use Effect of Public Lands
And Contract Restricted Lands**

Land Use	Acres	Percent
Water Area	55,424	14.3
Public Lands (see table A-6)	152,797	39.3
Contract Restricted (Agricultural and Open Space Contracts)	93,093	24.0
<i>Subtotal of Contract Restricted and Publicly Owned Lands</i>	<i>301,314</i>	<i>77.6</i>
All Other Land Uses (including Agricultural not under Contract)	87,038	22.4
Total	388,352	100.0%

Source: Marin County Assessor, 1987.

IV. OBJECTIVES, POLICIES, AND IMPLEMENTATION PROGRAMS

Objective A-1. Agricultural Areas. To enhance, support, promote and protect agricultural land uses and the agricultural industry in Marin County, in the Inland Rural and Coastal Recreation Corridors, and in the Bayfront Conservation Zone of the City-Centered Corridor, through the protection of the agricultural land base from conversion to non-agricultural uses and through the encouragement of sustainable agricultural practices.

A. PRESERVATION OF AGRICULTURAL AREAS IN THE INLAND RURAL AND COASTAL RECREATION CORRIDORS

Policy A-1.1 **Preservation of Agricultural Lands.** Agricultural lands shall be preserved by maintaining agricultural parcels in sizes large enough to sustain agricultural production, avoiding conversion of agricultural land to non-agricultural uses, discouraging uses which are not compatible with long term agricultural productivity, and encouraging programs that assist agricultural operators and owners in maintaining the agricultural productivity of their land and marketing their products.

Program A-1.1a Land uses of Inland Rural and Coastal Recreation Corridors. The County shall encourage land uses of an agricultural or open space nature which serve to maintain agriculture in the Inland Rural and Coastal Recreation Corridors.

Program A-1.1b Very Low Density Agricultural Zoning. The County shall maintain very low density agricultural zoning in the Inland Rural and Coastal Recreation Corridors to discourage conversion of agricultural land to non-agricultural uses.

Program A-1.1c Agricultural Zoning Study and Code Revisions. The County shall review and prepare appropriate revisions to its primary agricultural zoning regulations for the purpose of creating a uniform approach to the protection and preservation of long term agricultural use of agricultural land. Such changes should include clustering provisions, appropriate development standards, a better description of non-agricultural uses which are compatible with long term agricultural land uses and which enhance the economic vitality of agricultural operations, and the requirement for the use of planned district zoning designations.

Program A-1.1d Transfer of Development Rights. The County shall conduct a study to determine if Transfer of Development Right (TDR) programs should be applied to all lands currently zoned "A" to support continued agricultural uses in Marin County. This study

should also consider the appropriateness of designating receiver sites or receiver site areas.

Policy A-1.2

Agricultural Education. The County supports agricultural education, and those efforts to help the public understand the importance of agriculture in Marin County and the conservation of land for agricultural use. The County shall encourage the Marin County Office of Education and all local school districts to develop and implement a curriculum to emphasize the importance of agriculture.

Program A-1.2a

Designation of Agricultural Areas. In an effort to inform residents and visitors of the importance to the County of agriculture, the County may identify agricultural areas by the placement of appropriate visible signs on roads and highways at the point at which they enter agricultural areas.

Policy A-1.3

Agricultural Parcels. The County shall discourage subdivision of agricultural lands except where the Planning Commission can make the findings that a proposed division or subdivision enhances the long term agricultural use of the land. If subdivision of agricultural land occurs, development shall be clustered in a manner which encourages the maximum protection of agricultural lands.

Program A-1.3a

Williamson Act. The County shall continue its participation in the Williamson Act program and shall encourage agricultural landowners to contract with the County on a voluntary basis to restrict the use of their land in exchange for taxation of the land based on its agricultural use.

Program A-1.3b

Williamson Act Parcels. The County should add a clause to all future Williamson Act contracts which prohibits subdivision of the land under Williamson Act contract for the duration of the contract, unless the Board of Supervisors can make the findings that a proposed division or subdivision enhances the long term agricultural use of the land.

Policy A-1.4

Development in Agricultural Areas. Any subdivision and/or nonagricultural development allowed on agricultural lands shall be consistent with objectives and criteria which promote the long term agricultural use and productivity of the specific parcel being proposed for subdivision and/or development. If subdivision and/or development of agricultural lands occurs, the County shall require clustering or grouping together of allowable dwelling

units on relatively small parcels comprising not more than 5% of the total area of the parcel(s) being subdivided. Conversely, 95% of the total area of the parcel(s) being subdivided shall be preserved for agriculture and open space. These clustering provisions may be modified if the County can make findings that the long term agricultural use and productivity of a specific parcel can be enhanced through an alternative form of subdivision or development.

Program A-1.4a Agricultural Zoning and Subdivision Regulations Revision. The County shall prepare and adopt modifications to its agricultural zoning and subdivision codes in order to create a uniform approach to preservation of agricultural lands. Such modifications shall include requirements for clustering of subdivided lots and permanent preservation of 95% of the gross acreage for agriculture and open space purposes, consistent with Policy A-1.4. These issues shall be reflected in the zoning study identified in Program A-1.1c.

Policy A-1.5 **Agricultural Conservation Easements.** The County shall encourage the acquisition and/or dedication of perpetual agricultural conservation easements in order to permanently preserve agricultural lands for agricultural uses.

Program A-1.5a Agricultural Conservation Easements Program. The County shall establish a program to obtain agricultural conservation easements or to assist in the acquisition of such easements by an appropriate agency or non-profit land trust.

B. AGRICULTURAL LANDS IN THE BAYFRONT CONSERVATION ZONE OF THE CITY-CENTERED CORRIDOR

Policy A-1.6 **Agricultural Lands in the Bayfront Conservation Zone.** Recognizing that agricultural land is a non-renewable resource, the County will, to the extent feasible and legal, preserve productive agricultural land in the Bayfront Conservation Zone of the City-Centered Corridor. Development projects which would affect such lands should be designed to minimize loss of productive agricultural land and/or mitigate impacts on agricultural production.

Program A-1.6a Identify Agricultural Lands in the Bayfront Conservation Zone. The County shall identify productive agricultural lands in the Bayfront Conservation Zone which might be kept in agricultural production.

Policy A-1.7

Intensity of Agricultural Use. On lands located in the Bayfront Conservation Zone which are suitable for agricultural preservation, the County should encourage intensive agriculture for food production, in addition to traditional agricultural uses like dairying and hay production. Such innovative programs should be consistent with wetlands and habitat preservation policies.

Program A-1.7a

Use of Reclaimed Water for Agriculture. Where available and consistent with health standards, use of reclaimed water for agricultural lands in the Bayfront Conservation Zone should be encouraged.

Policy A-1.8

Bayfront Conservation Zone (BFC). The County will continue to observe BFC Zone policies for agricultural lands in the BFC Zone. These policies call for the protection of existing agricultural land as a valuable county resource.

Program A-1.8a

Agricultural Land Mitigation Fund. The County should explore the establishment of an agricultural preservation fund supported in part by mitigation fees contributed by a development which has reduced the agricultural capacity of the parcel(s). This concept should not be considered an alternative to the preservation of agricultural land as established in Policies EQ 2.45 and EQ 2.58-.60 but should be explored as a supplement to these policies. Prior to reaching a decision on whether such a fund should be established, the following issues shall be researched and evaluated in order to assess the practicality, necessity, effectiveness, and potential impacts of the fund: how many properties would be affected by mitigation fees; how a fee schedule would be established; how different types of agricultural conditions in the BFC zone would be ranked; under what circumstances a mitigation fee would be imposed rather than a requirement for preservation of agricultural land; whether an appropriate nexus can be found; whether the program should be used only to preserve land in the BFC Zone or whether it could be used to preserve agricultural land in other parts of the County if there was not a detrimental effect on the BFC habitat value or if agricultural lands with similar environmental values are found. An analysis of whether the existence of such a fund would accelerate the loss of productive agricultural lands in the BFC zone shall also be undertaken.

Program A-1.8b Maintenance of Production Capacity. Any development of land in the Bayfront Conservation Zone reducing the amount of agricultural land available should, to the extent feasible, employ mitigation measures, which would, at a minimum, increase the productive capacity of the remaining acreage so that the historic level of production would be maintained. Mitigation measures should be consistent with wetland and habitat preservation policies.

Program A-1.8c Use of Other Techniques to Preserve Agricultural Land. The County shall investigate the feasibility of using methods such as purchase of agricultural conservation easements, use of Williamson Act contracts, and protection of agricultural operations from nuisance complaints to preserve agricultural lands in the Bayfront Conservation Zone.

C. AGRICULTURE ON FEDERAL PARK LANDS

Policy A-1.9 **Agricultural land uses within Federal Park Lands.** The County supports the continuation of agricultural operations and agricultural land uses within the "pastoral zones" of the Point Reyes National Seashore and the Golden Gate National Recreation Area.

Program A-1.9a Long-Term Tenure Agreements in Federal Parklands. The County encourages the National Park Service to enter into long term tenure agreements (leases) with agricultural operators in order to provide the operators with sufficient security to profitably operate agriculture in the "pastoral zones."

Program A-1.9b Range Management Guidelines. The County supports the National Park Service's use of Range Management Guidelines for management of the "pastoral zones," in the Federal parklands as adopted in April 1988.

D. NON-AGRICULTURAL LAND USES IN RURAL AREAS IN THE INLAND RURAL AND COASTAL RECREATION CORRIDORS

Policy A-1.10 **Non-Agricultural Land Uses.** Non-agricultural land uses on agricultural lands should be compatible with agricultural land uses and with the rural character of the Inland Rural and Coastal Recreation corridors and enhance the economic viability of agricultural operations.

- Program A-1.10a Location of Non-Agricultural Zoning Districts. The County shall maintain non-agricultural zoning districts only in areas where conflict with agricultural uses will be minimized and which contain development standards to ensure preservation and enhancement of agricultural uses.
- Program A-1.10b Transfer of Development Rights (TDRs). The County shall encourage use of Transfer of Development Rights from agricultural areas to areas more suitable for development.
- Program A-1.10c Receiver and Donor Sites. The County may require master plans for both receiver and donor sites in which transferred development rights are a factor.
- Program A-1.10d Right-to-Farm Ordinance. The County shall consider adoption of a right-to-farm ordinance which protects agricultural and mariculture operations from nuisance complaints by adjacent non-agricultural and non-mariculture property owners regarding certain allowable agricultural procedures such as spraying, fertilizing and harvesting and allowable maricultural practices such as operating equipment and storing culture materials. This ordinance would set up a grievance procedure to address the needs of all concerned.
- Program A-1.10e Non-Agricultural Uses. As part of Program A-1.1c, the County shall conduct a study of the compatibility of non-agricultural operations (such as horse boarding, breeding and training operations) with traditional agricultural operations involving the production of food or fiber.

E. MARICULTURE

- Policy A-1.11** **Preserve and Promote Mariculture.** The County shall seek to preserve and promote maricultural usage of tidelands and on-shore production areas. The need for mariculture sites in coastal waters should be balanced with the need to provide for other uses, such as commercial fishing, recreational clamming and boating, and the need to protect coastal wildlife, water, and visual resources.
- Program A-1.11a Mariculture Zoning. The County Community Development Agency will analyze the feasibility and desirability of revising the zoning ordinance to include mariculture as a conditional use in the C-RSP zoning district, or other zoning district as appropriate.

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